

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE: § Case No. 20-10640-tmd
EF-290, LLC §
§
Debtor-in-Possession § Chapter 11

**APPLICATION OF DEBTOR-IN-POSSESSION FOR RETENTION OF HAJJAR
PETERS, LLP AS COUNSEL PURSUANT TO 11 U.S.C. § 327(A)**

This pleading requests relief that may be adverse to your interests.

**If no timely response is filed within 21 days from the date of service, the
relief requested herein may be granted without a hearing being held.**

A timely filed response is necessary for a hearing to be held.

COMES NOW, EF-290, LLC, (“Applicant” or the “Debtor”), and pursuant to 11 U.S.C. § 327(a), files this Application of Debtor-In-Possession for Retention of Hajjar Peters, LLP as Counsel Pursuant to 11 U.S.C. § 327(a) and respectfully represents:

1. On May 29, 2020 (the “Petition Date”), the Debtor filed a voluntary petition herein under Chapter 11 of the United States Bankruptcy Code.
2. Applicant has continued in possession of its property and as debtor-in-possession is managing its property.
3. Debtor, as debtor-in-possession, wishes to employ Hajjar Peters LLP (“HP”) as its counsel. Lead counsel will be Charlie Shelton, an attorney duly admitted to practice in this Court. Mr. Shelton’s address and telephone number are: 3144 Bee Caves Rd, Austin, Texas 78746; 512-637-4956; 512-637-4958 (facsimile); email: cshelton@legalstrategy.com.

4. Applicant has selected HP and Mr. Shelton for the reason that they have considerable experience in bankruptcy matters, and believes that Mr. Shelton is well qualified to represent it as debtor-in-possession in this proceeding.

5. The professional services that HP are to render include:

- a. to give Debtor legal advice with respect to its powers and duties as Debtor-in-Possession in the continued operation of its business and management of his property;
- b. to advise the Debtor of its responsibilities under the Bankruptcy Code and assist with such;
- c. preparation and filing of the voluntary petition and other paperwork necessary to commence this proceeding;
- d. assisting the Debtor in preparing and filing the required Schedules, Statement of Affairs, Monthly Financial Reports, the Initial Debtor Report and other documents required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of this Court and the administrative procedures of the Office of the United States Trustee;
- e. representation of the Debtor in connection with adversary proceedings and other contested and uncontested matters, both in this Court and in other courts of competent jurisdiction, concerning any and all matters related to these bankruptcy proceedings and the financial affairs of the Debtor, including, but not limited to, litigation affecting property of the Estate, suits to avoid or determine lien rights or other property interests of creditors and other parties in interest, objections to disputed claims, motions to assume or reject leases and other executory contracts, motions for relief from the automatic stay and motions concerning the discovery of documents and other information relating to any of the foregoing;
- f. representation of the Debtor in the negotiation and documentation of any sales or refinancing of property of the estate, and in obtaining the necessary approvals of such sales or refinancing by this Court; and
- g. assisting the Debtor in the formulation of a plan of reorganization and disclosure statement, and in taking the necessary steps in this Court to obtain approval of such disclosure statement and confirmation of such plan of reorganization,

6. HP's employment would be in the best interest of this estate.

7. Attached hereto as Exhibit "A" is the Disclosure of Compensation under 11 U.S.C. §329 and Bankruptcy Rule 2016(b). Attached hereto as Exhibit "B" is the affidavit of Charlie Shelton indicating that, other than as disclosed in the affidavit, HP has no connections with the Debtor's creditors, the U.S. Trustee, any person employed by the Office of the U.S. Trustee, or any other party in interest or their respective attorneys.

8. Prior to the filing of the Chapter 11 Cases, HP received \$20,000.00. \$14,190.50 was credited to prepetition billing, including \$1,717.00 allocated to the filing fee. HP is holding \$5,809.50 in its IOLTA Trust account.

9. A copy of the contract between the Debtor and HP setting forth the terms of its and compensation as required by Local Rule 2014(b)(2) is attached to this Application as Exhibit C. As set forth therein, subject to this Court's approval, the terms of the employment of HP agreed to by the Debtor-in-Possession are that certain attorneys and other personnel within the firm will undertake this representation at the following hourly rates:

Charlie Shelton	\$325.00
Other attorneys.....	\$200 - \$425
Paralegal.....	\$150.00

10. In addition, the terms of employment include the following charges for expenses, subject to Court approval:

In-house photocopies	\$0.05 per page
Long Distance	actual costs
Postage	actual costs
All other out of pocket expenses, including all travel	actual costs

11. Except as stated herein, no other attorneys for the Debtor have been employed.

WHEREFORE, Debtor prays that its employment of HP under the terms specified be approved by the Court, and that it have such other and further relief as is just.

Respectfully submitted,

EF-290, LLC

By: /s/Dane Eppen [signed with permission]

Dane Eppen

Manager

EF-290, LLC

HAJJAR PETERS LLP

By: /s/Charlie Shelton

Charlie Shelton

Bar Number: 24079317

3144 Bee Caves Rd

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cshelton@legalstrategy.com

PROPOSED ATTORNEYS FOR
DEBTOR

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of foregoing motion was served on June 11, 2020, via CM/ECF on all parties requesting such notice. Additionally, within one business day thereafter, the foregoing application was served on the Debtor via United States First Class Mail with all exhibits. Additionally, the Notice of Employment of Professional was served on all parties listed on the attached creditors' matrix who did not receive electronic notice. Exhibits are available upon request.

/s/Charlie Shelton
Charlie Shelton

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c/o Dane Eppen and
Stacy Eppen
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Michael G. Colvard
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San Antonio, TX 78205

Trustee

Debtor